

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-2 and 4 are pending and under consideration.

I. Double Patenting Rejection

In the Office Action, at page 2, claims 1-2 and 4 were rejected on the ground of nonstatutory obviousness-type double patenting over the claims of U.S. Patent No. 6,347,579. This rejection is respectfully traversed.

Independent claim 1 recites:

said distribution device comprising:

a distribution gutter configured to receive hulled rice falling from said hulling section and in which a plurality of hulled rice falling-through holes are formed;

a downflow gutter that is linked to a first upper end edge of said distribution gutter and guides hulled rice from said hulling section to a substantially central part of the distribution gutter in the lengthwise direction;

a screw that is disposed inside said distribution gutter and conveys hulled rice having flowed into the distribution gutter in the lengthwise direction of the distribution gutter; and

a falling rice control plate configured to block and open at least some of said hulled rice falling-through holes formed in said distribution gutter, wherein

a part of the hulled rice that failed to fall through said hulled rice falling-through holes, out of the hulled rice that has flowed into said distribution gutter, in the process of being conveyed by said screw, is caused to overflow a second upper end edge of the distribution gutter on the side opposite the first upper end edge linked to said downflow gutter, and

the second upper edge of the distribution gutter includes a recessed part that is formed in a part of the second upper edge that is substantially immediately underneath said hulling section, and an overflowing rice control plate is disposed in a position corresponding to the recessed part so as to be shiftable between a state in which said recessed part is blocked and a state in which said recessed part is opened, thereby controlling the quantity of hulled rice overflowing the distribution gutter through said recessed part.

As such, the distribution gutter, downflow gutter, screw, and falling rice control plate of claim 1 are all elements of the claimed distribution device, which is part of the claimed rice huller.

In contrast to claim 1, the claims of U.S. Patent No. 6,347,579 are directed to only to a husking or hulling apparatus. As shown in figures 1-3, U.S. Patent No. 6,347,579 is concerned only with the structure of husking apparatus 1, which includes an upper machine casing 6 mounted on machine casing 4. Neither the claims nor the disclosure of U.S. Patent No. 6,347,579 make any mention of distribution device of a rice huller. As further evidence, the Examiner's attention is drawn to figure 1 of the present application, in which a hulling section 10 is mounted on top of the hulled rice distribution device 30. It is noted that the distribution gutter 35, the downflow gutter 31, the screw 32, and the falling rice control plate 34 of claim 1 are all elements of the hulled rice distribution device 30. As such, these claimed elements are part of a distribution device and are not part of the hulling section 10. The claims of U.S. Patent No. 6,347,579 make no mention of a distribution device, as recited in independent claim 1. Claims 2 and 4 depend either directly or indirectly from claim 1. Accordingly, withdrawal of the nonstatutory obviousness-type double patenting rejection is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

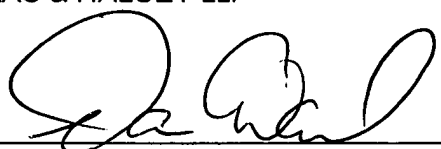
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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